

REMARKS/ARGUMENTS

Withdrawal of the final rejection, reconsideration and allowance of the present application based on the following remarks are respectfully requested.

Claims 1-8 and 10-12, remain pending. Of these, claims 1-8 and 10 (and, apparently, claim 11) are rejected under 35 U.S.C. §103(a) as unpatentable over Klick et al. (EP 293); claim 12 is rejected as unpatentably obvious over EP 293 in view of Murase et al. (US 5,178,447).

It appears that the basis for this rejection is that the specific size markings (not visible by the naked eye in EP 293) is a known result effective variable; therefore, the selection of size markings in the range of 0.1 to 10 mm would have been *prima facie* obvious.

With all due respect, it is submitted that if the Examiner is correct in characterizing the specific size markings in the luminous or display unit of EP 293 as a result effective variable, then the optimization would be to find as the optimum size range of specific markings **which would not be visible to the naked eye** in accordance with the only directions and parameter for the markings provided in EP 293.

Result effective or not, the disclosure of marking size in EP 293 does not contemplate markings in the range of 0.1 to 10 mm and the theoretical "optimization" of this parameter would not involve experimentation in the visible range, contrary to the express disclosure of EP 293.

In any event, in accordance with the disclosure of EP 293, any efforts towards optimization would involve achieving a uniform intensity distribution of the light emerging from the surface of the light conducting layer (*see, e.g.*, Abstract; statement of objective in the fifth paragraph on the second page of translation; and elsewhere throughout the specification). The practitioner might, therefore, be motivated to find the optimum marking sizes which, while not visible to the naked eye (*i.e.*, have a maximum size below visible and below 0.1 mm), are effective to achieve a uniform intensity distribution of light output. The practitioner would not be motivated to optimize for a size range of markings which would be effective for addressing, for example, the effects of damage or staining of a portion of the surface, whereby the resulting light display will effectively mask or obscure the damage or staining. This effect is shown, for instance, in the example and comparative example, as illustrated in Figs 3 and 4 of the subject application.

Accordingly, Applicants respectfully submit that any effort to "optimize" the luminous or display unit of EP 293 would not result in a device as presently claimed.

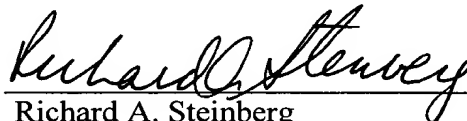
As for claim 12, since the disclosure of Murase et al. does not obviate the deficiency of EP 293, claim 12 should be allowable for that reason alone.

Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

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